

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

**REAL PROPERTY KNOWN AND
NUMBERED AS 8043 PATTERSON ROAD,
HILLIARD, FRANKLIN COUNTY, OHIO,
WITH ALL IMPROVEMENTS,
APPURTENANCES, AND ATTACHMENTS
THEREON (Record Owners: Riyad Altallaa
and Muna Alnoubani),**

Defendant.

[illegible]

Civil Action No. 2:16-cv-017
JUDGE SMITH
Magistrate Judge Jolson

DEFAULT JUDGMENT AND DECREE OF FORFEITURE

This cause came before the Court on Plaintiff's Motion for Default Judgment and Decree of Forfeiture (Doc. 30). After a thorough review of the record, the Court finds:

1. On January 8, 2016, Plaintiff, the United States of America, filed a Verified Complaint for Forfeiture alleging that the Defendant Real Property was involved in a monetary transaction, or attempted monetary transaction involving criminally derived proceeds of a value greater than \$10,000.00 which was derived from a specified unlawful activity, said specified unlawful activity being health care fraud in violation of 18 U.S.C. § 24 and § 1347, or is property traceable to such property, in violation of 18 U.S.C. § 1957, and is therefore subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A);

2. The aforementioned Complaint was accompanied by an Affidavit of Probable Cause that established probable cause to believe the allegations set forth in the Complaint;

3. Process was duly issued herein and returned according to law;
4. Notice of the seizure of the Defendant Real Property was given according to law;
5. The default of Riyadh Altallaa and Muna Alnoubanki for failure to plead or otherwise defend as required by law was entered by the Clerk;
6. Any other claimants have failed to come forward to timely file herein any claim or other pleading within the time fixed by law;
7. The allegations of the Verified Complaint are taken as admitted; and
8. This Court has jurisdiction pursuant to 28 U.S.C. § 1345 and § 1355.

NOW THEREFORE, based upon the above findings, and the Court being otherwise fully advised in the matter, it is hereby: **ORDERED, ADJUDGED, AND DECREED:**

1. The Defendant Real Property was involved in a monetary transaction, or attempted monetary transaction involving criminally derived proceeds of a value greater than \$10,000.00 which was derived from a specified unlawful activity, said specified unlawful activity being health care fraud in violation of 18 U.S.C. § 24 and § 1347, or is property traceable to such property, in violation of 18 U.S.C. § 1957, and is therefore forfeitable pursuant to 18 U.S.C. § 981(a)(1)(A), and that the Defendant Real Property, described as:

The Real Property known and numbered as 8043 Patterson Road, Hilliard, Franklin County, Ohio, with all improvements, appurtenances, and attachments thereon, and legally described as:

Situated in the State of Ohio, County of Franklin and in the Township of Brown.

Being in Virginia Military Survey #2670, and being part of a 50.05 acre tract as conveyed in a deed to Harold & Mildred Schultz (as shown in O.R. 8970 I-19) and being more particularly described as follows:

Beginning for reference at a Franklin County Monument Box (Number 0061), located at an angle point on the North line of said 50.04 acre tract;

thence with the centerline of Patterson Road, North 50 degrees 45' 00" East, a distance of 153.82 feet to a survey nail (set), and being the True place of Beginning;

thence continuing with the centerline of Patterson Road, North 54 degrees 45' 00" East, a distance of 216.00 feet to a survey nail (set);

thence with a new line crossing said 50.04 acre tract, South 37 degrees 01' 05" East a distance of 1068.53 feet passing an iron pipe (set) at 25.00 feet to an iron pipe (set);

thence with the south line of said 50.04 acre tract, also being the northerly line of a 10.285 acre tract, as conveyed in a deed to Slyvia & A. Sandoll Andromeda (as shown in O.R. 28028 B-09), and being the north line of an 8.559 acre tract, as conveyed in a deed to Christopher and Krysten Italiano (as shown in O.R. 30273 D-13), South 53 degrees 47' 49" West a distance of 216.00 feet, passing a 3/4" iron pipe (set);

thence with a new line crossing said 50.04 acre tract, North 37 degrees 00' 49" West, a distance of 1072.12 feet, passing an iron pipe (set) at 1052.12 feet, to the True Place of Beginning containing 5.306 acres.

Subject, however, to any and all legal easements and right-of-ways of record. This description is based on an actual survey completed in November 1997 by the Harmon Surveying Company. Bearings are based on the Centerline of Patterson Road as being North 54 degrees 45' 00" East as shown on a Plat for Archibald Patterson (dated June 1886). This is the bearing used for the Northerly portion of the 50.04 acre tract, there is an angle point in the centerline of Patterson Road at an existing Franklin County Monument (No. 0061). All iron pipes that are set are 30" in length x 3/4" O.D. with a yellow plastic cap marked "HARMON PS7659P. All deed references are recorded with the Franklin County Records Office.

Parcel No: 120-001088

Commonly known as: 8043 Patterson Road, Hilliard, OH 43026

Instrument Reference: Instrument Number 201210100152112 of the Deed Records of Franklin County, Ohio.

is hereby FORFEITED to the United States of America pursuant 18 U.S.C. § 981(a)(1)(A).

2. All other claims and interest in and to said property are forever barred and that no right, title, or interest in the Defendant Real Property shall exist in any party other than the United States of America.

3. That the designated agent with the United States Marshals Service shall dispose of the forfeited property as proved by law.

IT IS SO ORDERED this 28th day of June, 2016.

s/ George C. Smith

HONORABLE GEORGE C. SMITH
UNITED STATES DISTRICT COURT JUDGE